

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

CAROL SPACK,

Plaintiff,

- v -

1:17-CV-1335
(TJM/CFH)

TRANS WORLD ENTERTAINMENT
CORPORATION, RECORD TOWN, INC.,

Defendants.

NATASHA ROPER,

Plaintiff

- v -

1:17-CV-553
(TJM/CFH)

TRANS WORLD ENTERTAINMENT
CORPORATION, RECORD TOWN, INC.,

Defendants.

**CHRISTIAN F. HUMMEL
U.S. MAGISTRATE JUDGE**

ORDER

Plaintiff Carol Spack commenced an action against Trans World Entertainment Corporation and Record Town, Inc. on April 20, 2017. Spack v. Trans World Entertainment Corporation and Record Town, Inc., 1:17-CV-1335. Plaintiff Natasha Roper commenced an action against Trans World Entertainment Corporation and Record Town, Inc. on May 19, 2017. Roper v. Trans World Entertainment Corporation and Record Town, Inc., 1:17-CV-553 (TJM/CFH). On January 12, 2018, plaintiff Spack filed a Motion to Consolidate 1:17-CV-1335 with 1:17-CV-553. Dkt. No. 54 (1:17-CV-

1335); Dkt. No. 58 (1:17-CV-553). On February 22, 2018, defendants indicated, as relevant here, that they did not oppose consolidation. Dkt. No. 60 (1:17-CV-1335). Plaintiff Roper opposed the motion to consolidate. Dkt. Nos. 64, 65 (1:17-CV-1335); Dkt. No. 68 (1:17-CV-553). Plaintiff Spack filed a reply. Dkt. No. 71 (1:17-CV-1335).

On May 4, 2018, plaintiff Roper filed a letter motion requesting withdrawal of her opposition to plaintiff Spack's Motion to Consolidate. Dkt. No. 83 (1:17-CV-553). The letter further provided that, based on her withdrawal of Roper's opposition to the Motion to Consolidate, Spack's Motion for Reconsideration at Dkt. No. 59 (1:17-CV-553) is "moot." Dkt. No. 83 (1:17-CV-553).¹ Plaintiff Roper's letter motion requesting withdrawal of her opposition is granted. Dkt. No. 83 (1:17-CV-553).

WHEREFORE, it is hereby

ORDERED, that plaintiff Roper's letter motion (Dkt. No. 83, 1:17-CV-553) requesting withdrawal of her opposition to plaintiff Spack's Motion to Consolidate (Dkt. No. 54, 1:17-CV-1335; Dkt. No. 58 (1:17-CV-553)) is **GRANTED**; and it is further

ORDERED, that plaintiff Spack's motion to consolidate, Dkt. No. 54 (1:17-CV-1335); Dkt. No. 58 (1:17-CV-553), is **GRANTED**, and two actions will be consolidated; and it is further

ORDERED, that this Order be docketed in 1:17-CV-1335 and 1:17-CV-553; and it is further

ORDERED, that the above actions are to be consolidated, with the lead case

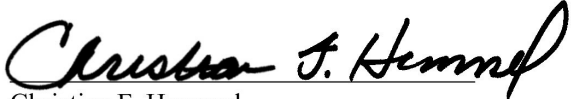
¹ The Court notes that the Motion for Reconsideration (Dkt. No. 59) was denied by this Court on March 8, 2018, and, thus, is no longer pending before the Court. Dkt. No. 81. Thus, no further action need be taken by the Court on this motion.

being Spack v. Trans World Entertainment Corp., et al., 1:17-CV-1335, as this case was first filed and the member case being Roper v. Trans World Entertainment Corp, et al., 1:17-CV-553; and it is

ORDERED, that all future filings and submissions will be docketed in 1:17-CV-1335; and it is further

IT IS SO ORDERED.

Dated: May 7, 2018
Albany, New York


Christian F. Hummel
U.S. Magistrate Judge